

NOV 19 1953

Dr. Ernest M. Allen

November 19, 1953

Dear Dr. Allen:

Enclosed is a copy of the letter of November 10, 1953, spelling out certain administrative procedures in connection with the agreement on patents dated September 14, 1953. I should like your further comment on our understanding of some of these procedures.

1. No reports of any kind are required under the above agreement unless inventions or patentable discoveries arise.
2. In the event patent applications are filed the "initial report" should be withheld until the serial number and date of filing are known.
3. You ask if we prefer December 31 or June 30 for the annual report. Our choice is June 30.
4. Please send me a specimen copy of your "Individual Application for Research Grants" so that I may see what "item (4)" on the face sheet is. (The copy I have conveniently available has no numbered items on the face sheet.)
5. Paragraph 3 of Miss Farent's letter of July 27, 1953 asked specifically whether employees engaged in research on College projects financed wholly by College funds are required to sign waivers of personal patent rights. In my reply of August 7, 1953, I stated that employees are not required to sign anything in advance with respect to patentable discoveries unless an industrial or other sponsored contract requires us to file applications on discoveries considered patentable that arise in the course of research under that particular contract. In such cases waivers apply only to that particular project.

Waivers in general are obtantious to scientific personnel but in a strictly legal sense are mandatory if the employer is to be in an unassailable legal position to deliver certain patent rights to others. Our people are well aware that they are expected to conform to the official policy of the College but there is no legal compulsion to do so. In view of the fact that we have not had a single default or departure from that policy in nearly 30 years of experience with patents would you consider that we would be negligent not to require such waivers in connection with the agreement of September 14, 1953?

Sincerely yours,

Ernest N. Allen
 Director of Research
 The College of William and Mary
 Williamsburg, Virginia

1. No request of any kind...
2. In the event...
3. You ask if we...
4. This is not...
5. Further...